

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

Name of Offender: Sean Rublowitz

Cr.: 14-00647-001
PACTS #: 64723

Name of Sentencing Judicial Officer: **THE HONORABLE ESTHER SALAS**
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 09/20/2016

Original Offense: Conspiracy to Distribute Oxycodone; Failure to File Tax Returns

Original Sentence: Probation – 5 years (concurrent)

Special Conditions: Special Assessment, Substance Abuse Testing, Alcohol/Drug Testing and Treatment, Cooperate with IRS, Mental Health Treatment, Pretrial Opportunity Program (POP)

Type of Supervision: Probation

Date Supervision Commenced: 09/20/2016

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|---|
| 1 | The offender has violated the standard supervision condition which states 'The defendant shall refrain from excessive use of alcohol and shall not purchases, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.' |
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During a scheduled home visit on December 12, 2017, for the purpose of inspecting the offender's new residence located in Tinton Falls, New Jersey, the undersigned officer administered a random drug urinalysis. The instant drug test appeared positive for opiates; therefore, the undersigned forwarded the Specimen (# B03353757) to our national contracted laboratory, Alere Toxicology. On December 14, 2017, the Probation Office received the test results from Alere Toxicology, which confirmed that Specimen # B03353757 was positive for Morphine, specifically, Extended Opiates (4).

U.S. Probation Officer Action:

During the home visit on December 12, 2017, Rublowitz denied ingesting/using any illegal controlled dangerous substances. Rublowitz provided the undersigned with two valid prescriptions for Cefuroxime Axetil, 500 mg tablet (RX# 8855073) and clindamycin phosphate, topical lotion 1% (for topical use only). Both prescriptions were filled on November 15, 2017, following a medical procedure the offender underwent on his neck to treat an abscess. The undersigned Officer emailed Alere Toxicology for further confirmation of this positive specimen and was advised that Specimen # B03353757 had a morphine in the range of poppy seed ingestion. Alere indicated that if the Probation Office eliminated poppy seeds, the other sources would be heroin, morphine and codeine. Alere Laboratories is unable to rule out the

ingestion of poppy seeds as a causative factor. Alere further noted that the use of the prescribed medications taken by Rublowitz (listed below) would not result in the detection of poppy seeds. When questioned, Rublowitz could not confirm or deny ingesting any poppy seeds to his knowledge. On December 19, 2017, the offender underwent a random drug urinalysis which resulted negative for all illegal controlled substances.

The undersigned spoke at length with Rublowitz and expressed concern, advising that he will be randomly tested each week at Recovery Innovations, an outpatient substance abuse treatment provider contracted by the Probation Office. The undersigned further advised Rublowitz that the Court would be notified and advised of the circumstances surrounding this positive drug screen administered on December 12, 2017. The undersigned officer is requesting no Court action at this time, and will closely monitor the offender via random home visits and drug screening. The Court will be notified immediately should the undersigned have any concerns or receive a second positive drug test result.

Respectfully submitted,


By: Elizabeth A. Villa

Senior U.S. Probation Officer

Date: 12/20/2017

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

- ☒ No Formal Court Action to be Taken at This Time
☐ Submit a Request for Modifying the Conditions or Term of Supervision
☐ Submit a Request for Warrant or Summons
☐ Other



Signature of Judicial Officer



Date